

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

RAMONITA IVETTE SOTO CRUZ
DEBTOR

CASE NO. 12-04450-MCF

CHAPTER 13

SECOND MOTION REQUESTING ORDER DISMISSING CASE, DOCKET NO. 56, BE SET ASIDE/RECONSIDERATION AND REQUEST FOR CONVERSION TO CHAPTER 7

TO THE HONORABLE COURT:

NOW COMES, RAMONITA IVETTE SOTO CRUZ, through the undersigned attorney, and very respectfully states and prays as follows:

1. On April 15, 2014 the Court issued an *Order Dismissing Case*, docket no. 56, whereby the above captioned case was dismissed, for failure to “make plan payments” as stated by the Chapter 13 Trustee in his Trustee’s Motion to Dismiss, docket no. 51.

2. The debtor respectfully submits that she did incur in the Plan arrears as stated by Chapter 13 Trustee in his motion to dismiss, docket no. 51, but that the Plan arrears were caused by debtor’s medical condition which has resulted in a reduction in her work hours and monthly income.

3. On April 15, 2014, the debtor filed a Motion requesting dismissal to be set aside/reconsideration, docket no. 58, in order to re-open the case to allow the debtor to convert the case to a case under Chapter 7. As of June 9, 2014 the motion has not been neither granted nor denied by this Court.

4. Therefore, debtor respectfully prays to the Court re-open and set aside the Order Dismissing Case, dated April 15, 2014, docket no. 56, allowing the debtor to continue under the protection of the Bankruptcy Court, and allowing the debtor to convert the present Chapter 13 case to a case under Chapter 7.

WHEREFORE it is respectfully requested from this Honorable Court grant this motion and set aside/reconsider the Order Dismissing Case, docket no. 56, entered in the above captioned case, for the purposes of allowing the debtor to request a conversion to Chapter 7.

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Second motion requesting reconsideration

Case no. 12-04450-MCF13

CERTIFICATE OF SERVICE

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, the US Trustee's Office, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular US mail to the debtor, Ramonita Ivette Soto Cruz, to the address of record: Urb Jose Delgado F 15 Calle 4 Caguas PR 00725; and to all creditors and interested parties appearing in the Master Address List, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 9th day of June, 2014.

/s/ Roberto Figueroa Carrasquillo
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0104-3

Case 12-04450-MCF13

District of Puerto Rico

Old San Juan

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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